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 PTO/SB/35 (06-03)  
 Approved for use through 04/30/2005 OMB 0661-0001  
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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# Request For Continued Examination (RCE) Transmittal

 Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	08/870,591
Filing Date	June 6, 1997
First Named Inventor	HEINZ ESCH
Art Unit	1754
Examiner Name	Hendrickson, S.L.
Attorney Docket Number	021123-0238397

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted, if a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- c. ☐ Other \_\_\_\_\_
- d. ☒ Enclosed
- e. ☐ Amendment/Reply
- f. ☐ Affidavit(s)/Declaration(s)
- g. ☒ Information Disclosure Statement (IDS)
- h. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.171(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 033975

- a. ☒ RCE fee required under 37 CFR 1.17(e) 10/09/2003 DYESGEM 00000011 033975 08870591
- b. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC1801 770.00 DA
- c. ☐ Other \_\_\_\_\_
- d. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- e. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Christina Prokash	Registration No. (Attorney/Agent)	53,481
Signature	<i>Christina Prokash</i>	Date	October 7, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	_____	Date	_____
Signature	_____	Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2003**

(Effective: 01/01/2003) Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$): 770.00

**Complete if Known**

Application Number 08/870,591  
 Filing Date June 6, 1997  
 First Named Inventor HEINZ ESCH  
 Examiner Name Hendrickson, S.L.  
 Art Unit 1754  
 Attorney Docket No. 021123-0238397

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number 033975  
 Deposit Account Name PILLSBURY WINTHROP LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entry Fee Code (S)	Fee Code (S)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 620	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
3	20** = 0	X	0
Independent Claims	1	3** =	
Multiple Dependent			

Large Entry Fee Code (S)	Small Entity Fee Code (S)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Response independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			0.00

\*\*For number previously paid, if greater. For REISSUES, see above.

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entry Fee Code (S)	Small Entity Fee Code (S)	Fee Description	Fee Paid
1001 130	2001 65	Surcharge - late filing fee or oath	
1002 50	2002 25	Surcharge - late provisional filing fee or cover sheet	
1003 130	1003 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SRP prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SRP after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 900	2253 450	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing brief in support of an appeal	
1403 260	2403 130	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1490 130	1490 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1808 180	1808 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (lines number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
SUBTOTAL (3) (\$)			770.00

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type) Gautam Prakash  
 Signature *Gautam Prakash*

Registration No. (optional/agent) 53,481

(Complete if applicable)

Telephone (703) 905-2031

Date October 7, 2003

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